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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON – PORTLAND DIVISION

**CALISTA ENTERPRISES LTD.,**  
a Republic of Seychelles company,

Plaintiff,

v.

**TENZA TRADING LTD.,**  
a Cyprus company,

Defendant.

Case No.

Declaration of Matthew Shayefar  
in Support of  
Plaintiff's Complaint

**DECLARATION OF MATTHEW SHAYEFAR IN SUPPORT OF PLAINTIFF'S  
COMPLAINT**

I, Matthew Shayefar, declare and state as follows:

1. I am a member of the Bar of the Commonwealth of Massachusetts, a member of the Bar of the State of California and counsel to Plaintiff Calista Enterprises Ltd. I make this declaration in support of Plaintiff's Complaint for Declaratory Judgment, Injunctive Relief and Trademark Cancellation.

2. I represented Calista Enterprises Ltd. in the administrative proceedings of Tenza Trading Ltd. v. Calista Enterprises Ltd., FA 1303001491515, before the National Arbitration Forum (the "UDRP Proceedings").

3. Exhibits A, B, C and D of the Complaint are true and correct copies of filings of the parties in the UDRP Proceedings.

4. Exhibit E of the Complaint is the true and correct copy of the decision of the panel in the UDRP Proceedings.

5. Attached hereto as Exhibit 1 is a true and correct copy of an email I sent to counsel for the Defendant Tenza Trading Ltd. ("Tenza") on June 18, 2013 notifying Tenza that Calista intended to file a civil action against Tenza pursuant to 15 U.S.C. § 1114(2)(D)(v).

6. As of the date hereof, Tenza has not responded to that notification.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 20th day of June, 2013 in Newton Centre, MA.

/s/ Matthew Shayefar  
Matthew Shayefar

**Exhibit 1**

**PORNTUBE Settlement terms CONFIDENTIAL**

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**Matthew Shayefar** <matt@bostonlawgroup.com>

Tue, Jun 18, 2013 at 3:31 PM

To: "Anna M. Vradenburgh" <amv@eclipsegrp.com>

Cc: "Stacey L. Messina" <slm@eclipsegrp.com>, Val Gurvits <vgurvits@bostonlawgroup.com>

Dear Anna,

My client is still reviewing the terms you forwarded. However, although I am sure you already know this, I must make it explicit pursuant to 15 U.S.C. § 1114(2)(D)(v) that in case the parties cannot settle their dispute, we will be filing suit on behalf of Calista against Tenza to establish that Calista's registration and use of the disputed domains (and the "porn tube" term in general) are not unlawful and to prevent the transfer of the domains pursuant to the UDRP proceedings.

I would appreciate confirmation that you've received this notice and I look forward to speaking with you about this matter soon.

Very Truly Yours,

Matthew Shayefar

Boston Law Group, PC

825 Beacon Street, Suite 20 | Newton Centre, MA 02459

Direct: (617) 928-1806 | Tel: (617) 928-1800 | Fax: (617) 928-1802

[matt@bostonlawgroup.com](mailto:matt@bostonlawgroup.com)

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